

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE:

JOCELYN RAMOS PADILLA

DEBTOR(S)

CASE NUMBER: 08-01142 (ESL)

CHAPTER 13 ASSET CASE)

DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE

THE HONORABLE COURT:

COMES NOW, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

a. In order to provide for post petition arrears with Banco Popular de Puerto Rico due to the fact that debtor had some extraordinary expenses in regards with debtor's judicial litigation over custody of child.

3. Debtor (s) amend plan call sixty (60) payment of \$225.00 for a total base of \$13,500.00 dollars with a provision for the payment of pre petition and post petition arrears to Banco Popular de Puerto Rico, account ending number-9669.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

WHEREFORE, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329 and provide any other remedy it may deem appropriate.

NOTICE

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter an order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 21th, day of January 2011.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/s/ Marilyn Valdes Ortega
MARILYN VALDES ORTEGA

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United States Bankruptcy Court
District of Puerto Rico

IN RE:

RAMOS PADILLA, JOCELYN

Debtor(s)

Case No. 08-01142

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☐ directly ☒ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED:

☐ PRE ☐ POST-CONFIRMATION

☒ AMENDED PLAN DATED: 1/21/2011

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 225.00 x 60 = \$ 13,500.00
\$ x = \$
\$ x = \$
\$ x = \$
\$ x = \$

TOTAL: \$ 13,500.00

Additional Payments:

\$ to be paid as a LUMP SUM
within with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 13,500.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 3,000.00

Additional Fees + 350.00
Balance 3850.00

Signed: /s/ JOCELYN RAMOS PADILLA
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. BANCO POPULAR D Cr. BANCO POPULAR D Cr.

Pre-Petition 9669 # Post-Petition 9669 #
\$ 1,350.37 \$ 2,913.95 \$

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. Cr. Cr.

\$ \$ \$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. Cr. Cr.

\$ \$ \$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

BANCO POPULAR D

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.

\$ \$ \$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.

ADEQUATE PROTECTION PAYMENT TO RG MORTGAGE UNTIL CONFIRMATION IS THE
EQUITY OF THE HOUSE.

AFTER CONFIRMATION EQUAL MONTHLY PAYMENT TO RG MORTGAGE OF \$ 202.50
MONTHS (15 -21)

DEBTOR WILL ASUME DIRECT PAYMENTS TO BPPR MORTGAGE AS OF FEBRUARY 2011.

Attorney for Debtor Marilyn Valdes Ortega Law Offices

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EL PASO TX 79998

BANCO POPULAR DE PR
PO BOX 366818
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BANCO SANTANDER
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CENTENIAL DE PUERTO RICO
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